

the care they need and deserve. Due to budget constraints, the IHS policy is to allow only one ultrasound per pregnancy. The visiting obstetrician is available only every couple of weeks.

The story of Brayden Robert Thompson points out how dangerous this situation is. On March 3, 2002, Brayden's mother was in labor with a full-term, perfectly healthy baby. Brayden's umbilical cord was wrapped around his neck, but without ultrasound that went undetected. The available medical staff did not know what to do about his lowered heartbeat, abnormal urinalysis, or the fact his mother was not feeling well. Despite the symptoms, IHS refused to provide an ultrasound or to send her to Pierre, which is the closest city off the reservation, to see an obstetrician. Brayden was stillborn.

This tragic death was completely preventable, but tough choices are being made every single day at IHS facilities throughout the country because there simply is not enough money to provide the care every American deserves.

I received a letter not long ago from Michelle German about her daughter Brittany.

This is Brittany. I have the letter, and I will read portions of it. Michelle writes:

My daughter Brittany is thirteen years old and for the last couple of years has suffered from a skin disorder called polymorphous light erosion/eruption, which basically means she is allergic to UV rays (the sun). We had visited many doctors, at the Sisseton Indian Health Service and the Coteau des Prairie Clinic (also located in Sisseton) before being referred to a dermatologist in Fargo. . . . The Indian Health Service denied our request for a referral due to the lack of funding, but I find this very ironic because I had my own insurance. However, I was told that her condition has already been diagnosed, it is not life threatening and that the Indian Health Services were not going to be responsible for any debt that my insurance would not cover. Since this had all taken place, I had lost my job and my insurance. I find it frustrating that we were over income to qualify for Medicaid or the CHIPS program through the State of South Dakota!

To make a long story a little shorter, we have been doctoring back at the Indian Health Service and now we are battling the pharmacy because it does not carry the medication that has been prescribed to her by the dermatologist. Brittany has been [on] various medications throughout her clinic visits at the Indian Health Service without success. The prescribed medications, that are working, are not available through the Indian Health Pharmacy and I have been purchasing it from our local drug store in the amount of forty-five dollars per forty-five gram tube.

Brittany has gone through quite an ordeal because of the question "what is the matter with your face?" and now it is on her arms and legs which are beginning to scar due to the scratching. She has been limited to being kept indoors from the hours of 10 a.m. to 3

p.m. to prevent any outbreaks and the itchiness that follows. This is very hard for both of us because she is a very active teenager who enjoys playing golf, softball and swimming. We have had to change the type of clothing worn in the summer, the bathing soaps and lotions; she is now required to wear sunscreen and lip screen throughout her time outside. . . .

I could go on, . . . but I think you get the idea. I have attached a picture of my daughter when the skin rash started on her face for your review.

I hope this helps explain her story. We have case after case. This may not be life-threatening. But Brittany is not able to get the help she needs, the attention she needs, the treatment she needs, in large measure because IHS has said in her case they do not see a life-threatening problem.

This is not solely an Indian issue. It affects surrounding rural community hospitals, ambulance services, and other health care providers who work with the IHS.

The Lake Andes-Wagner ambulance district in southeastern South Dakota is facing financial disaster, in part because they have not been reimbursed properly by the Indian Health Service. This ambulance service offers emergency transport for citizens of Charles Mix County and Yankton Sioux tribal members, since the Wagner IHS hospital cannot afford to operate its own service. If this ambulance service shuts down, what will these residents, Indian or non-Indian, do when they face an emergency?

Bennett County Hospital in southwestern South Dakota suffers similar IHS reimbursement problems, as do others in the non-IHS areas throughout rural America.

In his budget request for the next fiscal year, the President requested only \$1.9 billion for clinical services for Indians. This represents a very small increase over what the President requested for fiscal year 2003 and no increase over what was finally included in the omnibus appropriations bill. We can and we must do better.

The amendment I am proposing again would increase funding for clinical services by a mere \$292 million. I would like to say that this is the minimum amount that is necessary to provide basic health care to the current IHS user population, but I can't say that. The minimum amount necessary is an additional \$2.9 billion, and this is one-tenth of that amount.

Today, I am asking the Senate to live up to the commitment it made last March, to make that extremely modest \$292 million increase real by including it in this appropriations bill. It is nowhere near enough, and it is sorely needed to address the severe funding shortfall the Indian Health Service faces.

The cost of the amendment is offset by revenue raised from an extension of the customs user fee that will otherwise expire on September 30. We all agree the extension is inevitable. This will require only a small portion of those funds, and I can think of no better use for the money.

Native Americans are facing a literal "life or limb" test before they can access health care today. We are spending twice as much per capita on Federal prisoners' health than on the health care for the Indians to whom we promised full health benefits. We simply cannot tolerate this. The problem is real. The solution is simple. We must start giving the Indian Health Service the funds it needs to provide Native Americans the health benefits they were promised.

Let's take this modest step toward that end.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALEXANDER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent to proceed as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

(The remarks of Mr. CHAMBLISS pertaining to the introduction of S. 1635 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PESTICIDE REGISTRATION APPLICATIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent to have printed in the RECORD a chart outlining the proposed decision time review periods for various categories of pesticide registration applications submitted to the Environmental Protection Agency.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## Pesticide Fee Categories

	A	B	C	D	E	F	G	H
1			Decision Times (months)					
2	Div.	Action /1/	FY04	FY05	FY06	FY07	FY08	Fee
3	BPPD	New ai, food use, microbial/biochemical, w/tolerance /2/	18	18	18	18	18	\$40,000
4	BPPD	New ai, food use, microbial/biochemical, w/exemption /2/	16	16	16	16	16	\$25,000
5	BPPD	New ai, non-food use, microbial/biochemical /2/	12	12	12	12	12	\$15,000
6	BPPD	EUP, food use; microbial/biochemical, w/temp. tol. exemp.	9	9	9	9	9	\$10,000
7	BPPD	EUP, non-food use, microbial/biochemical	6	6	6	6	6	\$5,000
8	BPPD	New use, first food use, microbial/biochemical, w/exemption	12	12	12	12	12	\$10,000
9	BPPD	New use, first food use, microbial/biochemical, w/tolerance /2/	18	18	18	18	18	\$15,000
10	BPPD	New use, non-food, microbial/biochemical	6	6	6	6	6	\$5,000
11	BPPD	New product, me-too, fast track, microbial/biochemical	3	3	3	3	3	\$1,000
12	BPPD	New product, non-fast track, microbial/biochemical	6	6	4	4	4	\$4,000
13	BPPD	Amendment, non-fast track, microbial/biochemical /3/	6	6	4	4	4	\$4,000
14	BPPD	SCLP, new ai, food use or non-food use /2/	6	6	6	6	6	\$2,000
15	BPPD	SCLP, EUP (new ai or new use)	6	6	6	6	6	\$1,000
16	BPPD	SCLP, new product, me-too, fast track	3	3	3	3	3	\$1,000
17	BPPD	SCLP, new product, non-fast track	6	6	4	4	4	\$1,000
18	BPPD	SCLP, amendment, non-fast track /3/	6	6	4	4	4	\$1,000
19	BPPD	PIP, EUP, non-food/feed or crop destruct, no SAP (submitted before new ai package, \$25K credit toward new ai registration)	12	12	6	6	6	\$75,000
20	BPPD	PIP, EUP, set temp. tolerance/exemption, no SAP (submitted before new ai package, \$50K credit toward new ai registration)	12	12	9	9	9	\$100,000
21	BPPD	PIP, EUP, new ai, non-food/feed or crop destruct, SAP required (submitted before new ai package, \$75K credit toward new ai registration)	15	15	12	12	12	\$125,000
22	BPPD	PIP, EUP, new ai, set temp. tolerance/exemption, SAP required (submitted before new ai package, \$100K credit toward new ai registration)	18	18	15	15	15	\$150,000
23	BPPD	PIP, register new ai, non-food/feed, no SAP	18	18	12	12	12	\$125,000
24	BPPD	PIP, register new ai, non-food/feed, SAP required	24	24	18	18	18	\$225,000
25	BPPD	PIP, register new ai, temp. tolerance/exemption exists, no SAP	18	18	12	12	12	\$200,000
26	BPPD	PIP, register new ai, temp. tolerance/exemption exists, SAP required	24	24	18	18	18	\$300,000
27	BPPD	PIP, register new ai, set tolerance/exemption, no SAP	21	21	15	15	15	\$250,000
28	BPPD	PIP, register new ai, with EUP request, set tolerance/exemption, no SAP	21	21	15	15	15	\$300,000
29	BPPD	PIP, register new ai, set tolerance/exemption, SAP required	24	24	21	21	21	\$350,000
30	BPPD	PIP, register new ai, with EUP request, set tolerance/exemption, SAP required	24	24	21	21	21	\$400,000
31	BPPD	EUP, food use, PIP, amendment /3/	6	6	6	6	6	\$10,000
32	BPPD	PIP, new use /4/	9	9	9	9	9	\$30,000
33	BPPD	PIP, new product /5/	12	12	9	9	9	\$25,000
34	BPPD	PIP, amendment, seed production to commercial registration	15	15	12	9	9	\$50,000
35	BPPD	PIP, amendment, non-fast track (except 34 above) /3/	6	6	6	6	6	\$10,000
36	AD	New ai, food use, exemption /2/	35	24	24	24	24	\$90,000
37	AD	New ai, food use, tolerance /2/	35	24	24	24	24	\$150,000
38	AD	New ai, non-food use, outdoor, FIFRA §2(mm) uses /2/	FIFRA §3(h) decision times					\$75,000
39	AD	New ai, non-food use, outdoor, other uses /2/	31	21	21	21	21	\$150,000
40	AD	New ai, non-food use, indoor, FIFRA §2(mm) uses /2/	FIFRA §3(h) decision times					\$50,000
41	AD	New ai, non-food use, indoor, other uses /2/	29	20	20	20	20	\$75,000
42	AD	New use, first food, exemption /2/	29	21	21	21	21	\$25,000
43	AD	New use, first food, tolerance /2/	29	21	21	21	21	\$75,000
44	AD	New use, food, exemption	24	15	15	15	15	\$10,000
45	AD	New use, food, tolerance	24	15	15	15	15	\$25,000
46	AD	New use, non-food, outdoor, FIFRA §2(mm) uses	FIFRA §3(h) decision times					\$15,000

	A	B	C	D	E	F	G	H
1			Decision Times (months)					
2	Div.	Action /1/	FY04	FY05	FY06	FY07	FY08	Fee
47	AD	New use, non-food, outdoor, other uses	24	15	15	15	15	\$25,000
48	AD	New use, non-food, indoor, FIFRA §2(mm) uses	FIFRA §3(h) decision times					\$10,000
49	AD	New use, non-food, indoor, other uses	20	12	12	12	12	\$10,000
50	AD	EUP	9	9	9	9	9	\$5,000
51	AD	New product, me-too, fast track	3	3	3	3	3	\$1,000
52	AD	New product, non-fast track, FIFRA §2(mm) uses	FIFRA §3(h) decision times					\$4,000
53	AD	New product, non-fast track, other uses	8	6	6	6	6	\$4,000
54	AD	New manufacturing-use product, old ai, selective citation	24	18	12	12	12	\$15,000
55	AD	Amendment, non-fast track /3/	6	4	4	4	4	\$3,000
56	RD	New ai, food use /2/	38	34	24	24	24	\$475,000
57	RD	New ai, food use, reduced risk /2/	32	26	21	21	21	\$475,000
58	RD	New ai, food use, with EUP request (decision time for EUP and temp tolerance same as below) /2/	38	34	24	24	24	\$525,000
59	RD	New ai, food use, EUP, set temp. tolerance, (submitted before new ai package; \$300K credited toward new ai registration)	32	28	18	18	18	\$350,000
60	RD	New ai, food use, submitted post-EUP (decision time begins after EUP and temp. tolerance are granted) /2/	28	24	14	14	14	\$175,000
61	RD	New ai, non-food use, outdoor /2/	32	28	21	21	21	\$330,000
62	RD	New ai, non-food use, outdoor, reduced risk /2/	26	22	18	18	18	\$330,000
63	RD	New ai, non-food use, outdoor, with EUP request (decision time for EUP same as below) /2/	32	28	21	21	21	\$365,000
64	RD	New ai, non-food use, outdoor, EUP (submitted before complete new ai package, \$210K credited toward new ai)	27	23	16	16	16	\$245,000
65	RD	New ai, non-food use, outdoor, submitted post-EUP (decision time begins after EUP has been granted) /2/	24	20	12	12	12	\$120,000
66	RD	New ai, non-food use, indoor /2/	30	26	20	20	20	\$190,000
67	RD	New ai, non-food use, indoor, reduced risk /2/	26	22	17	17	17	\$190,000
68	RD	First food use, indoor food/food handling /2/	30	24	21	21	21	\$150,000
69	RD	New use, indoor food/food handling	30	24	21	15	15	\$35,000
70	RD	New use, first food use /2/	32	26	21	21	21	\$200,000
71	RD	New use, first food use, reduced risk /2/	28	22	18	18	18	\$200,000
72	RD	New food use, each	38	30	22	15	15	\$50,000
73	RD	New food use, reduced risk, each	36	28	20	12	12	\$50,000
74	RD	New food uses, bundled, 6 or more	38	30	22	15	15	\$300,000
75	RD	New food uses, reduced risk, bundled, 6 or more	36	28	20	12	12	\$300,000
76	RD	New food use, EUP, temp tolerance (no credit toward new use registration)	35	27	19	12	12	\$37,000
77	RD	New food use, EUP, crop destruct	8	8	6	6	6	\$15,000
78	RD	New use, non-food, outdoor	28	24	20	15	15	\$20,000
79	RD	New use, non-food, outdoor, reduced risk	26	22	18	12	12	\$20,000
80	RD	New use, non-food, outdoor, EUP (no credit toward new use registration)	8	8	6	6	6	\$15,000
81	RD	New use, non-food, indoor	24	18	12	12	12	\$10,000
82	RD	New use, non-food, indoor, reduced risk	22	16	9	9	9	\$10,000
83	RD	Import tolerance, new ai or first food use /2/	38	30	21	21	21	\$250,000
84	RD	Import tolerance, new food use	38	30	22	15	15	\$50,000
85	RD	New product, me-too, fast track	3	3	3	3	3	\$1,000
86	RD	New product, non-fast track (includes reviews of product chemistry, acute toxicity, public health pest efficacy)	10	8	6	6	6	\$4,000
87	RD	New product, non-fast track, new physical form (excludes selective citations)	16	14	12	12	12	\$10,000
88	RD	New manufacturing-use product, old ai, selective citation	24	18	12	12	12	\$15,000

	A	B	C	D	E	F	G	H
1			Decision Times (months)					
2	Div.	Action /1/	FY04	FY05	FY06	FY07	FY08	Fee
89	RD	Amendment, non-fast track, (includes changes to precautionary label statements, source changes to an unregistered source) /3/	6	5	4	4	4	\$3,000
90	RD	amendment, non-fast track (changes to REI, PPE, PHI, rate & no. of applications; add aerial application; modify GW/SW advisory statement) /3/	20	16	12	8	8	\$10,000
91	RD	Amendment, non-fast track, isomers	22	20	18	18	18	\$240,000
92	RD	Cancer reassessment, applicant-initiated	22	20	18	18	18	\$150,000
93	/1/ Abbreviations: AD = Antimicrobial Division; ai = active ingredient; BPPD = Biopesticide and Pollution Prevention Division; EUP = experimental use permit; fast track = qualifies for expedited processing under FIFRA §3(c)(3)(B)(i)(I); me-too = new product registration of already registered active ingredient; GW/SW = ground water/surface water; PHI = pre-harvest interval; PIP = plant-incorporated protectant; PPE = personal protective equipment; RD = Registration Division; REI = restricted entry interval; SAP = FIFRA Science Advisory Panel meeting; SCLP = straight-chain lepidopteran pheromone. /2/ All uses (food and non-food) included in any original application or petition for a new active ingredient or a first food use are covered by the base fee for that application. /3/ EPA-initiated amendments shall not be charged fees. /4/ Example: transfer of existing PIP trait by traditional breeding, such as from field corn to sweet corn. /5/ Example: stacking PIP traits within a crop using traditional breeding techniques.							
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### THIRD ANNIVERSARY OF THE MURDER OF UKRAINIAN GEORGIY GONGADZE

Mr. LEVIN. Mr. President, the nation of Ukraine recently celebrated the 12th anniversary of its independence from the former Soviet Union. This milestone, gained after decades under Soviet repression, is a notable achievement that bears witness to humanity's inextinguishable and universal desire for liberty and freedom. Twelve years after its independence, much has been achieved, yet much work remains to be done before Ukraine is able to fulfill its considerable promise and fully join the Euro-Atlantic community of nations that find unity through their commitment to democracy and a steadfast adherence to the rule of law.

Yesterday also marked the third anniversary of the disappearance and murder of Ukrainian journalist Georgiy Gongadze. This anniversary casts a pall over Ukrainian society and underscores the problems it faces as it seeks to reform its domestic political situation. The editor of an internet newspaper, *Ukrainska Pravda* Ukrainian Truth—Gongadze reported widely on corruption within highest circles of Ukrainian society. He was an outspoken critic of corruption, and his decision to create an internet news journal was done in part to avoid some of the censorship and intimidation imposed upon journalists in Ukraine who routinely have their papers seized, presses damaged, and lives threatened by government officials.

However, Gongadze's actions did not escape official notice. Nothing done by members of the fourth estate is going unnoticed in a nation that Reporters Without Frontiers ranked 112th in its rating of worldwide media freedom. After Gongadze's disappearance, tapes secretly recorded by Mykola Melnychenko, a former bodyguard for President Leonid Kuchma, documented plans by President Kuchma and other government officials to dispose of Gongadze by a variety of means including "selling him to the Chechens."

Since his disappearance 3 years ago, little headway has been made into the investigation of his murder. Ukrainian officials have hindered efforts by the FBI to examine evidence, court documents have been forged and a witness in the case recently died while in police custody. Delays into this investigation and the lack of transparency with which it has been conducted undermine the reputation of Ukraine and hinders its relationship with the United States, the European Union, and NATO.

Much has been made of Ukraine's contribution to Operation Iraq Freedom. Currently, a brigade of Ukrainian soldiers are on the ground in Iraq, and this contribution is greatly appreciated. Yet such assistance, coupled with military reform, should not be seen as a quid pro quo for a lack of reform on Ukraine's domestic front. Unification with the Euro-Atlantic com-

munity is not merely a geopolitical or bureaucratic decision. Ukraine must continue efforts to develop and implement a responsive and transparent rule-based system of law before it is fully able to from the West.

The conduct of the October 2004 Presidential elections in Ukraine will be watched closely by the international community. Free and fair elections, regardless of their final outcome, will be an important step toward Ukraine's rapprochement with the community of nations. This election will be vital not for its outcome, but for the process by which it is conducted. It is my hope that the October 2004 elections will aid Ukraine's transformation from a nation where fear undermines public discourse into a nation where all facets of society can freely engage in the marketplace of ideas without fear of re-creation. Only in such a society will we be able to learn the truth surrounding the disappearance and murder of Georgiy Gongadze. His family and the Ukrainian people deserve no less.

### TRIBUTE TO MARVIN "SONNY" ELIOT

Mr. LEVIN. Mr. President, today I have the honor of recognizing a great American and Michigander, Marvin "Sonny" Eliot. Sonny was born and raised in my hometown of Detroit. He is well known as a popular TV and radio weatherman, with a career spanning 57 years. However, equally as impressive as his broadcasting career is his aviation and military career.

Sonny had always wanted to fly planes. While in high school, he commuted across town to take a special aviation course at another school. Sonny did so well on the final exam that he was awarded flying lessons, which led to his pilot's license in 1940. After high school, Sonny attended Wayne State University. Before finishing a degree program, he decided to enlist in the U.S. Army Air Corps.

Following his training in the Air Corps, Sonny was shipped to Wendling, England, where he flew B-24's as part of the 392nd Heavy Bomber Group. During World War II, Sonny was shot down over Gotha, Germany on his 16th mission. Subsequently, he was captured by the Nazis and spent 16 months as a Prisoner of War in Germany, 14 of which were in the prison camp Stalag Luft I. Due to his valor and loyalty in the service, Sonny earned the Distinguished Flying Cross, Air Medal, and Purple Heart. In addition, he received the Presidential Unit Citation with all the members of the 392nd Heavy Bomber Group for carrying out one of the most vital air strikes of the aerial attacks of the war.

After returning from Europe in 1945, Sonny continued his studies at Wayne State University where he earned a B.A. in English and an M.A. in Mass Communication and began his career in broadcasting. He has spent almost six decades on Detroit's airwaves with

WWJ Radio and Channels 2 and 4 television, best known as a personable and humorous weatherman. In fact, his witty weather reports have been named the nation's best by the National Association of TV Program Executives.

Nevertheless, his interest in aviation never faded. While at Channel 4 TV and WWJ, Sonny won numerous news media awards for promotion and public awareness of aviation. In addition, he continues to fly and has accumulated more than 7,500 hours. Sonny holds the rank of colonel in the U.S. Air Force Reserve and was named the Air Force liaison for the 1st Congressional District. In October 2001, as a result of his lifelong commitment to aviation, he was enshrined into the Michigan Aviation Hall of Fame.

Currently, Sonny can be heard on WWJ-AM 950 with his easy-to-understand weathercasts. I am pleased to join my colleagues in the Senate in saluting Marvin "Sonny" Eliot's lifetime full of contributions to his country and the state of Michigan. I wish him continued success in the future.

### NEGOTIATION OF A U.S.-CENTRAL AMERICAN FREE TRADE AGREEMENT

Mr. BAUCUS. Mr. President, I rise today to address the ongoing negotiations for a United States-Central America Free Trade Agreement—also known as the "CAFTA."

These negotiations present a couple of unique challenges.

First, most of the CAFTA countries are less developed, both economically and politically, than Mexico, Chile, or any of our other FTA partners. This presents challenges to the abilities of the Central American countries—both to negotiate a comprehensive set of commitments and to implement them effectively.

Second, these negotiations are on an accelerated schedule. They started in January 2003 and are set to conclude by the end of this year. The limited trade negotiating capacities of the CAFTA countries makes this an ambitious goal.

Third, several of the CAFTA countries played a less than constructive role at the WTO Cancun Ministerial. Their participation in the G-21 and the role of that group in precipitating the meeting's collapse raises serious questions about their commitment to trade liberalization.

I support comprehensive free trade agreements that create sound market access rules and meaningful commercial opportunities for American farmers, workers, and businesses. And I support, in principle, the goal of reaching such an agreement with the five CAFTA countries.

But we need to be realistic. A CAFTA agreement will be politically difficult here—much more so than the recently passed free trade agreements with Singapore and Chile. The issues it raises will be challenging on both sides of the aisle.